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09/596,973	06/20/2000	Arnold M. Lund	USW# 1743	6256

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EXAMINER

MANNING, JOHN

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 04/08/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/596,973

Applicant(s)

LUND ET AL.

Examiner

John Manning

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-7, 11-12, 14 and 25-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Pope (US Pat No 5,963,624).

In regard to claim 1, the Pope reference discloses a cordless telephone with remote control features. The system include a display (Figure 1, Item 14), a video source sending video to be displayed on the display, (Figure 1, Item 16), and a remote generating a wireless signal for controlling the video source, the remote including at least one of a microphone and a speaker for telephone communication (Figure 1, Item 10). "The handset 10 is a cordless digital telephone handset. It includes speakers 24 and 26, an antenna 28, a keypad 30, and a display 32" (Col 2, Lines 46-48).

In regard to claim 3, the "remote" selectively generates a wireless signal for changing the display. The "handset 10 communicates with the base unit 12 by digital spread spectrum communications. This means that the handset can be in a different room and/or a significant distance away from the base unit 12" (Col 3, Lines 23-26).

"Appliances that are controlled by the infrared signals include television 14, cable controller 16, and compact disc player 18" (Col 4, Lines 1-3).

In regard to claim 4, the disclosed remote includes a microphone and a speaker for telephone communication (Figure 1, Item 10). "The handset 10 is a cordless digital telephone handset. It includes speakers 24 and 26, an antenna 28, a keypad 30, and a display 32" (Col 2, Lines 46-48).

In regard to claim 5 and 6, the disclosed remote is in wireless communication with the telephone base. The telephone base is in communication with a telephone network. "The base unit 12 is used to transmit and receive voice data to and from the handset. The base unit 12 is connected to the telephone line 34 to receive the analog telephone signal, convert it to a digital signal, and transfer it to the handset, as well as receiving the digital signal from the handset and converting it to an analog signal sent on the telephone line 34" (Col 3, Lines 29-34).

In regard to claim 7, the video source to the display is a subscription television decoder (Figure 1, Item 16).

In regard to claim 11, the claimed limitation of at least one user input device is met by Figure 1, Item 10. The both the claimed limitation of a transmitter for generating a wireless signal based upon activation of the at least one user input device and the claimed limitation of a transceiver for communicating wirelessly with a telephone system are met by Figure 1, Items 10 and 28. The claimed limitation of at least one audio transducer for sending or receiving audio signals via the transceiver is also met by Figure 1, Items 10 and 28. "The base unit 12 is used to transmit and receive voice data

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to and from the handset. The base unit 12 is connected to the telephone line 34 to receive the analog telephone signal, convert it to a digital signal, and transfer it to the handset, as well as receiving the digital signal from the handset and converting it to an analog signal sent on the telephone line 34" (Col 3, Lines 29-34).

In regard to claim 12, the disclosed "audio transducer" includes a microphone and a speaker for telephone communication (Figure 1, Item 10). "The handset 10 is a cordless digital telephone handset. It includes speakers 24 and 26, an antenna 28, a keypad 30, and a display 32" (Col 2, Lines 46-48).

In regard to claim 14, the "transmitter" controls an entrainment system component. "Appliances that are controlled by the infrared signals include television 14, cable controller 16, and compact disc player 18" (Col 4, Lines 1-3).

In regard to claim 25, the claimed step of displaying video on the display is met by Figure 1, Item 14. The step of changing the video on the display with a wireless remote is met by Figure 1. The "remote" selectively generates a wireless signal for changing the display. The "handset 10 communicates with the base unit 12 by digital spread spectrum communications. This means that the handset can be in a different room and/or a significant distance away from the base unit 12" (Col 3, Lines 23-26). "Appliances that are controlled by the infrared signals include television 14, cable controller 16, and compact disc player 18" (Col 4, Lines 1-3). The claimed step of receiving a telephone call to the information system is inherent to the Pope system. The claimed step of communicating on the telephone call via an audio transducer on the remote is met by Figure 1, Items 10 and 28. "The base unit 12 is used to transmit and

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receive voice data to and from the handset. The base unit 12 is connected to the telephone line 34 to receive the analog telephone signal, convert it to a digital signal, and transfer it to the handset, as well as receiving the digital signal from the handset and converting it to an analog signal sent on the telephone line 34" (Col 3, Lines 29-34).

In regard to claim 26, the examiner interprets the claimed step of providing an option to provide communication via the audio transceiver on the remote or an audio transceiver on the display to be written in the alternative such that the claimed limitation may be met by either providing communication via the audio transceiver on the remote or an audio transceiver on the display. Accordingly, the limitation of providing communication via the audio transceiver on the remote is met by Figure 1, Items 10 and 28. The examiner interprets the claimed step of receiving a selection of one of the remote or display in response to said step e) to be written in the alternative such that the claimed limitation may be met by either receiving a selection of the remote or display in response to said step e). Accordingly, the selection of the remote is inherent to the system. The claimed step of communicating on the telephone call via the selected one of the audio transceiver on the display or the remote is met by Figure 1, Items 10 and 28. "The base unit 12 is used to transmit and receive voice data to and from the handset. The base unit 12 is connected to the telephone line 34 to receive the analog telephone signal, convert it to a digital signal, and transfer it to the handset, as well as receiving the digital signal from the handset and converting it to an analog signal sent on the telephone line 34" (Col 3, Lines 29-34).

In regard to claim 27, the remote includes a microphone (Figure 1, Item 26) with the telephone system. The step of selection of the microphone and communicating on the telephone call via the microphone system is inherent to the reference.

In regard to claim 28, the remote includes a speaker (Figure 1, Item 24) with the telephone system. The step of selection of the speaker communicating on the telephone call via the speaker system is inherent to the reference.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 16, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pope in view of Makhlouf (US Pat No 6,292,172).

In regard to claim 2, the Pope reference discloses a cordless telephone with remote control features. The reference fails to explicitly disclose that the remote is a wireless keyboard. Makhlouf teaches the use of a remote that is a keyboard so as to allow general letter input and to facilitate direct Internet access. The "system is used in connection with a remote control that has a QWERTY type keyboard. The functions of the keyboard can be switched from general letter input to functions that directly access Internet addresses, sections within an Internet site, or television channels in television mode" (Col 3, Lines 50-54). Consequently, it would have been clearly obvious to one of

ordinary skill in the art to modify Pope such that the remote is a keyboard so as to allow general letter input and to facilitate direct Internet access.

In regard to claim 16, the Pope reference discloses a cordless telephone with remote control features. The reference fails to explicitly disclose that the remote is a wireless keyboard. Maklouf teaches the use of a remote that is a keyboard so as to allow general letter input and to facilitate direct Internet access. The "system is used in connection with a remote control that has a QWERTY type keyboard. The functions of the keyboard can be switched from general letter input to functions that directly access Internet addresses, sections within an Internet site, or television channels in television mode" (Col 3, Lines 50-54). Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope such that the remote is a keyboard so as to allow general letter input and to facilitate direct Internet access.

In regard to claim 19, the Pope reference discloses a cordless telephone with remote control features. The reference fails to explicitly disclose that the remote is a wireless keyboard. Maklouf teaches the use of a remote that is a keyboard so as to allow general letter input and to facilitate direct Internet access. The "system is used in connection with a remote control that has a QWERTY type keyboard. The functions of the keyboard can be switched from general letter input to functions that directly access Internet addresses, sections within an Internet site, or television channels in television mode" (Col 3, Lines 50-54). Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope such that the remote is a keyboard so as to allow general letter input and to facilitate direct Internet access.

In regard to claim 20, the Makhlouf reference discloses that keyboard generates the wireless signal to control the information system component by sending character information. "The keypad 116 of the universal remote control unit 50 enables the specification of Internet addresses and other textual information. The remote control unit 50 includes a number of function keys 124 that enables the selection of various functions" (Col 10, Lines 44-48).

5. Claims 8-10, 13, 15, 17-18, 21-24 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pope.

In regard to claim 8, the Pope reference discloses a cordless telephone with remote control features. The reference fails to explicitly disclose that the video source is a main unit providing video and telephone communication. However, the examiner takes OFFICIAL NOTICE that it is notoriously well known to incorporate a video source that is a main unit providing video and telephone communication so as to utilize existing infrastructure for both video and telephone communication. Consequently, it would have been clearly obvious to one of ordinary skill in the art to implement Pope with a video source that is a main unit providing video and telephone communication so as to utilize existing infrastructure for both video and telephone communication.

In regard to claim 9, the video source to the display is a subscription television decoder (Figure 1, Item 16).

In regard to claim 10, the Pope reference discloses a cordless telephone with remote control features. The reference fails to explicitly disclose an Internet connection. However, the examiner takes OFFICIAL NOTICE that it is notoriously well known to use

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an Internet connection so as to enable a set top box with Internet functionality such as with a web TV appliance in order to impart the features of Internet communication in a unitary device connected to a single display. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope with an Internet connection for the stated advantage.

In regard to claim 13, Pope reference discloses a cordless telephone with remote control features. The reference fails to explicitly disclose displaying caller identification information on the remote. However, the examiner takes OFFICIAL NOTICE that it is notoriously well known to display caller identification information so as to identify the name and number of the person calling the user. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope with a display displaying caller identification information on the remote for the stated advantage.

In regard to claim 15, the Pope reference discloses a cordless telephone with remote control features where the remote control features control a television as well as other appliances. The reference fails to explicitly disclose that the wireless signal changes a video source to the display. However, the examiner takes OFFICIAL NOTICE that it is notoriously well known to have a remote with the feature of changing a video source to a display so as to allow the user to conveniently change video sources. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope with the feature of changing a video source to a display for the stated advantage

In regard to claim 17 and 18, the claimed limitation of at least one user input device is met by Figure 1, Item 10. The claimed limitation of a transmitter for generating a wireless signal for controlling an information system component based upon activation of the at least one user input device is met by Figure 1, Items 10 and 28. "The base unit 12 is used to transmit and receive voice data to and from the handset. The base unit 12 is connected to the telephone line 34 to receive the analog telephone signal, convert it to a digital signal, and transfer it to the handset, as well as receiving the digital signal from the handset and converting it to an analog signal sent on the telephone line 34" (Col 3, Lines 29-34). The reference fails to explicitly disclose receiving and displaying caller identification information on the remote. However, the examiner takes OFFICIAL NOTICE that it is notoriously well known to receive caller identification information directly from the telephone system and display the caller identification information so as to identify the name and number of the person calling the user. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope with a receiver receiving caller identification information directly from the telephone system and a display displaying caller identification information on the remote for the stated advantage.

In regard to claim 21, the claimed step of displaying video on the display is met by Figure 1, Item 14. The examiner interprets the claimed step of providing an option to display caller identification information on one of the display or the remote to be written in the alternative such that the claimed limitation may be met by either displaying caller identification information on the display or the remote. The reference fails to explicitly

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disclose receiving and displaying caller identification information on the remote.

However, the examiner takes OFFICIAL NOTICE that it is notoriously well known to receive caller identification information directly from the telephone system and display the caller identification information so as to identify the name and number of the person calling the user. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope with receiver receiving caller identification information directly from the telephone system and a display displaying caller identification information on the remote for the stated advantage. The examiner interprets the claimed step of receiving a user selection to display the caller identification information on a selected one of the display or the remote to be written in the alternative such that the claimed limitation may be met by either displaying caller identification information on the display or the remote. The reference fails to explicitly disclose receiving a user selection to display the caller identification information on the remote. However, the examiner takes OFFICIAL NOTICE that it is notoriously well known to receive a user selection to display the caller identification information on the remote so as to provide the user the option of whether or not to display the information. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope with receiver receiving caller identification information directly from the telephone system and a display displaying caller identification information on the remote for the stated advantage. The claimed step of determining that a telephone call is incoming to the information system is inherent to the Pope system. The claimed steps of receiving caller identification

information from the incoming call and displaying the caller identification information on the selected one of the display of the remote are met by that discussed above.

In regard to claim 22, the Pope reference discloses a cordless telephone with remote control features. The reference fails to explicitly disclose transmitting caller identification information to the remote. However, the examiner takes OFFICIAL NOTICE that it is notoriously well known to transmit caller identification information directly from the telephone system to the remote so as to identify the name and number of the person calling the user. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope with transmitting caller identification information to the remote for the stated advantage.

In regard to claim 23, Pope reference discloses a cordless telephone with remote control features. The reference fails to explicitly disclose displaying caller identification information on the remote. However, the examiner takes OFFICIAL NOTICE that it is notoriously well known to receive caller identification information directly from the telephone system and display the caller identification information so as to identify the name and number of the person calling the user. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope with receiver receiving caller identification information directly from the telephone system and a display displaying caller identification information on the remote for the stated advantage.

In regard to claim 24, the "remote" selectively generates a wireless signal for changing the display. The step of controlling the video on the display by sending a wireless signal from the remote is met by Figure1. The "handset 10 communicates with

the base unit 12 by digital spread spectrum communications. This means that the handset can be in a different room and/or a significant distance away from the base unit 12" (Col 3, Lines 23-26). "Appliances that are controlled by the infrared signals include television 14, cable controller 16, and compact disc player 18" (Col 4, Lines 1-3).

In regard to claim 29, Pope reference discloses a cordless telephone with remote control features. The reference fails to explicitly disclose displaying caller identification information. However, the examiner takes OFFICIAL NOTICE that it is notoriously well known to display caller identification information so as to identify the name and number of the person calling the user. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope with a display displaying caller identification information on the remote for the stated advantage.

In regard to claim 30, Pope reference discloses a cordless telephone with remote control features. The reference fails to explicitly disclose displaying caller identification information on the remote. However, the examiner takes OFFICIAL NOTICE that it is notoriously well known to display caller identification information so as to identify the name and number of the person calling the user. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope with a display displaying caller identification information on the remote for the stated advantage.

6. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pope in view of Gerszberg et al. (US Pat No 6,292,210).

In regard to claim 31, Pope reference discloses a cordless telephone with remote control features. The reference fails to explicitly disclose displaying caller identification

information on the display. The Gerszberg et al. reference teaches displaying caller identification information on the display so as to identify the name and number of the person calling the user and facilitates user control telephonic functions. "FIG. 8A represents a screen 800 associated with an incoming call. Screen 800 may be represented in a window, as a picture-in-picture along with the video broadcast program on video appliance 360, or may be a full-screen, depending on user activation of PIP button 303 (FIG. 6). On screen 800, a caller video window 804 is provided for depicting a video image of the person making the call. Below, a caller ID window 802 displays the phone number of the caller" (Col 12, Lines 12-15). Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pope such that the television displays the caller identification information on the display so as to identify the name and number of the person calling the user and facilitates user control telephonic functions.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is as follows:

- The Mastromoro (US Pat No 4,508,935) reference discloses a cordless telephone having remote control function
- The Carlson (US Pat No 4,392,022) reference discloses a television remote control system for selectively controlling appliances
- The Krisbergh et al. (US Pat No 5,138,649) reference discloses portable telephone handset with a remote control.

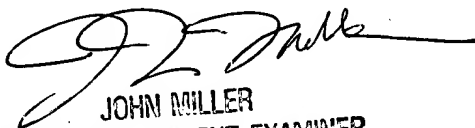
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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Manning whose telephone number is 703-305-0345. The examiner can normally be reached on M-F: 7:30 - 5:00 (off every other Wednesday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-9695 for regular communications and 703-746-9695 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is (703) 308-HELP.

JM
April 5, 2004


JOHN MILLER
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